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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/825,104	04/16/2004	Norman M. Ladouceur	13210-51	7702
1059	7590	04/07/2006	EXAMINER	
BERESKIN AND PARR 40 KING STREET WEST BOX 401 TORONTO, ON M5H 3Y2 CANADA			VU, MICHAEL T	
			ART UNIT	PAPER NUMBER
			2617	
DATE MAILED: 04/07/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/825,104	LADOUCEUR ET AL.
	Examiner	Art Unit
	Michael Vu	2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 27 January 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-7 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date: _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1, 4, 7 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujisawa (US 2002/0115478) in view of Grady (US 6,591,085).

Regarding **claims 1 and 7**, Fujisawa teaches a mobile alerter for a mobile communication device (Fig. 30, elements #2 Phone, #3 Pager, and #5 PDA), the mobile alerter comprising: a processor (Fig. 7, #43 [0410]); a power supply [0410]; a wireless receiver to communicate with the mobile communication device (Fig. 30); notification hardware for triggering a notification of an incoming alert (Abstract, [0004]); and a connection interface for removably connecting the mobile alerter to the mobile communication device (Fig. 30); **but is silent on** the mobile alerter forming the notification unit of the mobile communication device such that the mobile alerter outputs notification alerts for the mobile communication device when the mobile alerter is in a

tethered mode, and the mobile alerter outputs notification alerts for the mobile communication device when the mobile alerter is an un-tethered mode.

However, Grady teaches the modular docking unit that forming the notification alert and configured for indicating when the mobile device is charging or ON/OFF. And further teaches the indicator to detect when it plug in (tethered mode) or remove or separate (un-tethered) away from docking unit (Fig. 1-2, C4, L10-64).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Fujisawa, such that the mobile alerter forming the notification unit of the mobile communication device such that the mobile alerter outputs notification alerts for the mobile communication device when the mobile alerter is in a tethered mode, and the mobile alerter outputs notification alerts for the mobile communication device when the mobile alerter is an un-tethered mode, to provide the flexibility or the convenience of the moving/changing from one position to another location/area etc.

Regarding **claim 2**, Fujisawa/Grady teach the mobile alerter of claim 1, wherein the notification hardware comprises at least one type of hardware selected from the following group a speaker, a vibrator, and a light (C2, L37-43, C4, L55-64) of Grady.

Regarding **claim 3**, Fujisawa/Grady teach the mobile alerter of claim 1, wherein the power supply comprises a battery (C3, L18-23) of Grady.

Regarding **claim 4**, Fujisawa teaches a mobile communication device comprising (Fig. 30, elements #2 Phone, #3 Pager, and #5 PDA): a processor (Fig. 7, #43 [0410]); a wireless communication means to communicate with a wireless network (Fig. 1, Base

station #140; a wireless transmitter for communication with a wireless network (Fig. 1); a wireless receiver for communication with a wireless network (Fig. 1); a wireless transmitter for communication with a mobile alerter of claim 1 (Fig. 30); **but is silent on** a housing with an indenture for receiving the mobile alerter; and a connection interface for receiving the mobile alerter.

However, Grady teaches the modular docking unit that forming the notification alert and configured for indicating when the mobile device is charging or ON/OFF. And further teaches the indicator to detect when it plug in (tethered mode) or remove or separate (un-tethered) away from docking unit, in which a housing with an indenture that interface with mobile device (Fig. 1-2, C4, L10-64).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Fujisawa, such that a housing with an indenture for receiving the mobile alerter; and a connection interface for receiving the mobile alerter, to provide the flexibility or the convenience of the moving/changing from one position to another location/area etc.

Regarding **claim 5**, Fujisawa/Grady teach the mobile communication device of claim 4, wherein the wireless communication means comprises at least one form of communication means selected from the following group: a voice communication means, and a data communication means (Fig. 30, 0004) of Fujisawa.

Regarding **claim 6**, Fujisawa/Grady teach the mobile communication device of claim 4, wherein the connection interface comprises at least one form of interface

selected from the following group: a serial interface, a parallel interface, a USB interface, a Firewire interface, and a wireless interface (C4, L4-10) of Grady.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Vu whose telephone number is (571) 272-8131. The examiner can normally be reached on 8:00am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on 571-272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Michael T. Vu



ELISEO RAMOS-FELICIANO
PRIMARY EXAMINER